

70-C-346

D. C. Form No. 106A Rev.

TITLE OF CASE				ATTORNEYS			
<p>TINA MARTIN, BY HER FATHER AND NEXT FRIEND, LEO A. MARTIN</p> <p>vs</p> <p>THE FIRST NATIONAL BANK OF DECATUR, the Executor of the Estate of Chester Arthur Morrow, deceased; MACK BENTON DELK, Executor of the Estate of Mary Sue Quigg and; PATRICIA SUE HALE, Executrix of the Estate of Bertha J. Morse</p>				<p>For plaintiff:</p> <p>JONES, GIVENS, BRETT, GOTCHER & DOYLE Mr. Thomas Brett 1700 Fourth National Bank Bldg. Tulsa, Oklahoma 74119 (483-1115)</p>			
				<p>For defendant:</p> <p>Dale F. McDaniel Whitten and McDaniel 642 NBT Building Tulsa, Oklahoma 74103</p> <p>Church & Roberts 501 Philtower Building Tulsa, Oklahoma 74103</p> <p>Knight, Wilburn & Wagoner Beacon Building Tulsa, Oklahoma 74103</p> <p>Doerner, Stuart, Saunders, Daniel & Langenkamp / Mr. R. Dobie Langenkamp 1200 Atlas Life Bldg., Tulsa</p>			
STATISTICAL RECORD		COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 12-1-70		Clerk		11-4-70	Brett	15 00	
J.S. 6 mailed 5-1-71		Marshal		11-5	C.D.No. 21		15 00
Basis of Action: Prays Judgment for personal injuries		Docket fee					
		Witness fees					
Action arose at:		Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-4-70	Complaint filed. Summons issued. v	
11-16-70	Return of Summons. Served Patricia Sue Hale in Duncan, Oklahoma, on 11-11-70. (Fee \$25.12) Filed. v	
11-16-70	Return of Summons. Served Mack Benton Delk in Tulsa, Oklahoma, on 11-9-70. (Fee \$5.88) Filed. v	
11-16-70	Return of Summons. Served First Nat'l Bank of Decatur at Decatur, Ill. on 11-10-70. (Fee \$13.84) Filed. v	
11-17-70	Motion to Dismiss of the Defendant, the First National Bank of Decatur, the Executor of the Estate of Chester Arthur Morrow, deceased. Filed. v	
11-17-70	Brief in support of Motion to Dismiss of the Defendant, the First Nat'l Bank of Decatur, the Executor of the Estate of Chester Arthur Morrow, deceased. Filed. v	
11-17-70	✓ Answer of the Defendant, Mack Benton Delk, executor of the Estate of Mary Sue Quigg, Filed. v	
11-17-70	Order granting the plaintiff 10 days to respond to the Deft's Motion to Dismiss. (AEB-J)v	
11-17-70	Order consolidating Civil Action No. 70-C-327 with this case, filed. (Allen E. Barrow - Judge) b	
11-30-70	Response to motion to dismiss, of plaintiff, with brief attached, filed. ds	
12-1-70	Separate Answer of Patricia Sue Hale, Executrix of the estate of Bertha J. Morse, deceased, filed. ds	
12-4-70	Entry of Appearance - Doerner, Stuart, et al as co-counsel for Deft. the First National Bank of Decatur, Filed. v	
12-11-70	Order Overruling the First Natl Bank of Decatur's motion to dismiss filed. (AEB-J)h	
12-11-70	Court having heretofore consolidated 70-C-327 with 70-C-346, it is ordered that 70-C-345 also be consolidated with 70-C-346. (AEB-J)h (for all purposes)	
12-29-70	Motion of Defendant for enlargement of time to further plead or answer, by the Clerk filed. h	
12-30-70	Order enlarging time within which deft. may plead or answer for 15 days from 12-26-70, filed. (JHP-Clerk)m (First Natl. Bank of Decatur) (copies mailed)	
1-11-71	✓ Answer and Cross-Claim of the First National Bank of Decatur, Executor of the Estate of Chester Arthur Morrow, deceased, filed. b	
1-18-71	Deposition of Patricia Morse Hale, on behalf of plaintiffs, taken before Loyd J. Christesson, on 12-29-70, filed. \$24.00 pd by plaintiffs. ds	
1-21-71	✓ Answer of Mack Benton Delk, Executor of the estate of Mary Sue Quigg, to Cross-Claim of estate of Chester Arthur Morrow, deceased, filed. r	
1-21-71	Application for Mack Benton Delk, filed. r	
1-21-71	Court ordered that Plaintiff is granted 10 days from this date to respond to Defendant's Application. (AEB-J)v	
1-28-71	Pltff's notice to take depositions, filed. m	
2-4-71	Order allowing Dale F. McDaniel to withdraw as counsel for The First National Bank of Decatur, the executor of the Est. of Chester Arthur Morrow, deceased, filed. (AEB-J)m Ordered that bank to acquire & notify of new counsel within 15 days. (AEB-J)m (copies mailed)	
2-4-71	Interrogatories of FNB of Decatur, Executor of Est. of Chester Arthur Morrow, to plaintiffs, filed. b	

OVER

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-8-71	Deposition of Ramona R. Ivy, on behalf of the Pltfs Ivy, taken on January 6, 1971, before Frank Peterson, CSR. Paid by Pltfs. the sum of \$58.00. Filed. r	
2-8-71	Deposition of Leo A. Martin, on behalf of the Defts., Delk and First National Bank of Decatur, Illinois, taken on January 6, 1971, before Frank Peterson, CSR. Paid by Defts., Delk and First National Bank of Decatur. Filed. r (\$56.00)	
2-8-71	Deposition of Tina Martin, on behalf of the Defts Delk and First National Bank of Decatur, Illinois, taken on January 6, 1971, before Frank Peterson, CSR. Paid by Defts Delk and First National Bank of Decatur the sum of \$28.00). Filed. r	
2-8-71	Deposition of Mack Benton Delk, on behalf of the Plft., taken on January 6, 1971, before Frank Peterson, CSR. Paid by Plts. Martin the sum of \$35.00. Filed. r	
2-8-71	Deposition of Valerie J. Martin, on behalf of Defts Delk and First National Bank of Decatur, Illinois, taken on January 6, 1971, before Frank Peterson, CSR. Paid by Defts Delk and First National Bank of Decatur., the sum of \$24.00. Filed. r	
2-8-71	Deposition of Ronald Dean Ivy, on behalf of the Defts Delk and First National Bank of Decatur, Illinois, taken on January 6, 1971, before Frank Peterson, CSR. Paid by Defts Delk and First National Bank of Decatur the sum of \$24.00. Filed. r	
2-9-71	Plaintiff's Notice to take depositions of Mrs. Henry Del Sesto will be taken upon oral examination in Tulsa, Oklahoma on Friday, Feb. 12, 1971. Filed. r	
2-10-71	Deposition of witness, Louis A. Meeks, taken by Chloe Passley, CSR, Bartlesville, Oklahoma, on 1-30-71, filed. ds	
2-17-71	Return of Deposition Subpoena. Served Mrs. Henry Del Sesto at Broken Arrow on 2-10-71 at 11:45 A.M. (Fee \$6.08) filed. r	
2-17-71	Notice to take depositions of Dr. B. Richard Dryden and Dr. Monte G. Ray, filed. g	
3-5-71	Parties directed to hold pre-trial prior to 4-16-71 and file pre-trial order not later than 4-21-71. (AEB-J)m	
3-10-71	Plaintiff's Notice of postponement of Depositions of Dr. Monte Ray and Dr. B. Richard Dryden, filed. r	
4-6-71	It is ordered that this case is stricken from pre-trial docket by agreement of parties, and case set for Non-Jury Trial on Tuesday, April 28, 1971 at 10:00 A.M. (AEB-J)h	
4-12-71	Plaintiff's Notice of Postponement of Depositions on Dr. Monte Ray and Dr. B. Richard Dryden and re-scheduling the same of Dr. Monte Ray on May 8, 1971. Filed. r	
3-10-71	Deposition of Cecil Del Sesto, on behalf of plaintiffs, before Frnk L. Peterson on 2-12-71, filed. (\$18 pd by pltfs.) 70-C-347	
4-28-71	Case called for Non-Jury Trial. Parties present and represented. Witnesses sworn: Leo A. Martin, en famille. Statements made. Jack Givens appt. guardian ad litem. Journal Entry of Judgment filed, in open court. (AEB-J)h	
4-28-71	Journal Entry of Judgment filed and entered. It is ordered that the plaintiff be awarded judgment against the defendants First Natl, et al the sum of \$5,000 together with costs of this action. (AEB-J)h	
4-30-71	Release and satisfaction of judgment, filed. ds	

DATE	PROCEEDINGS	Date Order or Judgment Noted